

FILED
for Roanoke
DEC - 7 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA)	Criminal Action No. 4:03-cr-70057-2
)	
v.)	<u>2255 ORDER</u>
)	
ERIKA RIKER,)	By: Hon. Jackson L. Kiser
Petitioner.)	Senior United States District Judge

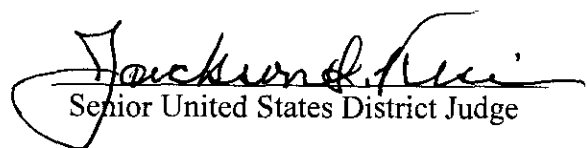
In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that petitioner's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255 (docket #58), is **DISMISSED** as untimely filed; all pending motions are **DENIED as moot**; a Certificate of Appealability is **DENIED**; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the United States.

ENTER: This 7th day of December, 2009.


Senior United States District Judge